

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES -- GENERAL

Case No. **CV 17-5685-JFW (MRWx)**

Date: **June 27, 2023**

Title: Craig Schmitman -v- AT and T Mobility, LLC

PRESENT:

HONORABLE JOHN F. WALTER, UNITED STATES DISTRICT JUDGE

**Shannon Reilly
Courtroom Deputy**

**None Present
Court Reporter**

ATTORNEYS PRESENT FOR PLAINTIFFS:

None

ATTORNEYS PRESENT FOR DEFENDANTS:

None

PROCEEDINGS (IN CHAMBERS):

**ORDER TO SHOW CAUSE RE: DISMISSAL FOR LACK
OF PROSECUTION**

On January 18, 2018, the Court granted Defendant At&t Mobility, LLC's Motion to Confirm and Enforce an Arbitration Award and to Compel Arbitration of the Remaining Claims. The Court confirmed the January 25, 2017 arbitration award and dismissed Plaintiff's Telephone Consumer Protection Act claim on res judicata grounds. The parties were ordered to arbitrate Plaintiff's emotional distress claim. The Court stayed the action pending the outcome of the arbitration and ordered the parties to file a joint status report with the Court every 120 days regarding the status of the arbitration with the first report starting on May 8, 2018. To date no report has been filed with the Court. Accordingly, the parties are ordered to show cause, in writing, no later than **July 7, 2023**, why this action should not be dismissed for lack of prosecution.

No oral argument on this matter will be heard unless otherwise ordered by the Court. See Fed. R. Civ. P. 78; Local Rule 7-15. The Order will stand submitted upon the filing of the response to the Order to Show Cause. Failure to respond to the Order to Show Cause will result in the dismissal of this action.

IT IS SO ORDERED.

Initials of Deputy Clerk sr